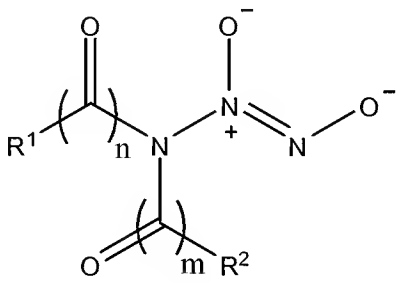
AMENDMENTS TO CLAIMS

The present listing of claims replaces all other listings of the claims.

1. (Currently Amended) A compound comprising a zwitterion of formula (1), or pharmaceutically acceptable salt~~, solvate or hydrate~~ thereof:



Formula (1)

wherein,

~~each~~ R^1 is ~~H,~~ alkyl~~, perhaloalkyl, cycloalkyl, cyclyl, aryl, heterocycloalkyl, heterocyclyl, heteroaryl, each optionally~~ substituted with 1-4 groups that are halo or~~, CN, NO_2, C(O)OH, C(O)OR,~~ haloalkyl~~, or electron-withdrawing group~~;

~~each~~ R^2 is alkyl~~, perhaloalkyl, cycloalkyl, cyclyl, aryl, heterocycloalkyl, heterocyclyl or heteroaryl, each optionally~~ substituted with 1-4 groups that are halo~~, CN, NO_2, C(O)OH, C(O)OR,~~ or haloalkyl~~, or electron-withdrawing group~~;

~~or R^1 and R^2, together with the nitrogen to which they are both attached, is a heterocycloalkyl, heterocyclyl or heteroaryl ring optionally substituted with one or more groups that are halo, alkyl, C(O)OH, C(O)OR, haloalkyl;~~

~~each R is independently alkyl, alkenyl, alkynyl, cycloalkyl, cyclyl, aralkyl, or heteroaralkyl;~~ and

each n and m is ~~independently~~ 0~~ or 1~~.

2 to 14. (Canceled)

15. (Currently Amended) The compound of claim 1, wherein ~~each~~ R^1 is alkyl~~, cycloalkyl, cyclyl, aryl, heterocycloalkyl, heterocyclyl or heteroaryl, each optionally~~ substituted with 1-4 groups that are fluoro or fluoroalkyl ~~halo, CN, NO_2, C(O)OH, C(O)OR, haloalkyl, or electron-withdrawing group~~.

16. (Canceled)

17. (Previously Presented) A pharmaceutical composition comprising a compound of Formula (1) in claim 1 and a pharmaceutically acceptable carrier.

18. (Previously Presented) The composition of claim 17, further comprising an additional therapeutic agent.

19. (Previously Presented) The composition of claim 18, wherein the additional therapeutic agent is a cardiovascular agent.

20. (Previously Presented) The composition of claim 19, wherein the additional therapeutic agent is a β-antagonist.

21. (Previously Presented) A method of treating a subject suffering from or susceptible to a disease or disorder, the method comprising the step of administering to the subject a therapeutic amount of a compound of Formula (1) in claim 1 sufficient to treat the disease or disorder or symptoms thereof under conditions such that the disease or disorder is treated.

22. (Previously Presented) The method of claim 21, wherein the subject is a human.

23. (Previously Presented) The method of claim 21, wherein the subject is a subject identified as being in need of such treatment.

24. (Previously Presented) The method of claim 21, further comprising administering an additional therapeutic agent.

25. (Previously Presented) The method of claim 21, wherein the subject is not suffering from a cancer.

26. (Previously Presented) The method of claim 21, wherein the step of administering the compound comprises administering the compound in a dosage of between about 0.0001 and 4.0 g/day.

27. (Previously Presented) The method of claim 21, wherein the disease, disorder, or symptom thereof is a nitroxyl-mediated disease, disorder, or symptom thereof.

28. (Previously Presented) The method of claim 21, wherein the disease, disorder, or symptom thereof is a cardiovascular disease, disorder, or symptom thereof.

29. (Previously Presented) The method of claim 21, wherein the disease or disorder is heart failure, early-stage chronic heart failure, Class II heart failure, hypertension, coronary obstructions, coronary artery disease (CAD), angina, heart attack, myocardial infarction, cardiac failure, high blood pressure, heart valve disease, or congestive heart failure.

30. (Previously Presented) The method of claim 21, wherein the step of administering comprises administering the compound intravenously or intramuscularly.

31. (Previously Presented) A method of administering nitroxyl to a subject comprising the step of administering to the subject a therapeutic amount of a compound of Formula (I) in claim 1 sufficient to provide nitroxyl.

32. (Previously Presented) The method of claim 31, wherein the subject is a subject identified as being in need of such treatment.

33. (Previously Presented) A kit comprising an effective amount of a compound of Formula (I) in claim 1 in unit dosage form, together with instructions for administering the compound to a subject suffering from or susceptible to a cardiovascular disease or disorder or symptoms thereof.

34. (Previously Presented) The method of claim 21, further comprising determining a level of Marker in the subject.

35. (Previously Presented) The method of claim 21, wherein the determining of the level of Marker is performed prior to administration of the compound to the subject.

36. (Previously Presented) The method of claim 21, wherein the determining of the level of Marker is performed subsequent to administration of the compound to the subject.

37. (Previously Presented) The method of claim 21, wherein the determining of the level of Marker is performed prior to and subsequent to administration of the compound to the subject.

38. (Previously Presented) The method of claim 21, wherein the levels of Marker performed prior to and subsequent to administration of the compound to the subject are compared.

39. (Previously Presented) The method of claim 38, wherein the comparison of Marker levels is reported by a clinic, laboratory, or hospital agent to a health care professional.

40. (Previously Presented) The method of claim 28, wherein when the level of Marker prior to administration of the compound to the subject is lower than the level of Marker

subsequent to administration of the compound to the subject, then the amount of compound administered to the subject is an effective amount.

41. (Previously Presented) The method of claim 21, wherein the compound of Formula (I) in claim 1 is a compound wherein independent R^1 and R^2 groups are those wherein the corresponding protonated amine form of the R^1R^2N- moiety has a pKa of about 4.5 or less.

42 to 46. (Canceled)

47. (Previously Presented) A method of modulating a target that is phospholamban (PLB), sarcolipin (SLN), cardiac sarco(endo)plasmic reticulum calcium ATP-ase (SERCA2a), skeletal or cardiac sarcoplasmic reticulum (SR), or ryanodine receptors (RyR) in a cell comprising contacting a compound of formula (I) in claim 1 with the cell such that the target is modulated.

48. (Previously Presented) A method of modulating a target that is phospholamban (PLB), sarcolipin (SLN), skeletal or cardiac sarco(endo)plasmic reticulum calcium ATPase (SERCA) or isoforms thereof, skeletal or cardiac sarcoplasmic reticulum (SR), or ryanodine receptors (RyR) in a subject comprising administering a compound of formula (I) in claim 1 to the subject such that the target is modulated.

49. (Previously Presented) The compound of claim 1, wherein R^1 is perfluoroalkyl; and m and n are each 0.

50. (Previously Presented) The compound of claim 49, wherein R^1 is CF_3 or CF_2CF_3.

51 to 52. (Canceled)